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RAJYA SABHA

The following Bills were introduced in the Rajya Sabha on the 16th November, 1962:—

I

BILL No. XVII OF 1962

A bill further to amend the Representation of the People Act, 1951.

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. This Act may be called the Representation of the People (Amendment) Act, 1962. Short title.

43 of 1951.

2. In the Representation of the People Act, 1951 (hereinafter referred to as the principal Act), sections 76, 77 and 78 shall be omitted. Omission of sections 76, 77 and 78.

3. In section 123 of the principal Act,—

(a) in clause (1), in the *Explanation*, the words “but it does not include the payment of any expenses *bona fide* incurred at, or for the purpose of, any election and duly entered in the account of election expenses referred to in section 78” shall be omitted; and

Amendment
of section
123.

(b) clause (6) shall be omitted.

STATEMENT OF OBJECTS AND REASONS

Experience during the last three general elections has shown that in several cases the election expenses filed by candidates do not reflect the true state of expenses incurred by them on their elections. The law as it exists at present in this behalf seems to be not capable of effectual compliance. The proposed amending Bill, therefore, seeks to delete the provisions in the Representation of People Act, 1951, regarding the filing of election expenses.

M. P. BHARGAVA.

II

BILL NO. XVI OF 1962

A bill to amend the Hindu Marriage Act, 1955.

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Hindu Marriage (Amendment) Act, 1962. Short title
and comm-
encement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

25 of 1955.

2. In section 2 of the Hindu Marriage Act, 1955 (hereinafter referred to as the principal Act), the word "Jaina", wherever it occurs, shall be omitted. Amendment
of section 2.

3. In section 10 of the principal Act, in sub-section (1), after clause (f), the following clause shall be inserted, namely:— Amendment
of section 10.

"(g) has, in the presence of not less than two witnesses related to each party, and before the district court, given the consent."

STATEMENT OF OBJECTS AND REASONS

The word "Hindu" has a wide connotation and it includes Jainas also within its fold. It is generally observed in the Hindu society that all the Jainas are Hindus, though professing their faith in accordance with the teachings of their Thirathankaras and Mahavira Vardhamana just as the Aryasamajists follow the teachings of Swami Dayanand in their religious faith. Moreover, most of the ceremonies and rituals performed by the Jainas are similar to those of the Hindus. It seems, therefore, superfluous to consider Jainas as a separate community as distinct from the Hindu community. Correctly speaking, it is a sect of the Hindu community itself.

There are cases when both the parties to a marriage are prepared to give their unfettered consent for the judicial separation and that too in the presence of two responsible witnesses of their own choice before the district court. It seems proper that permission to do so on this expeditious ground should be given as such permission would reduce the grounds of differences greatly which otherwise could not be avoided under the existing provisions of the Act.

This Bill seeks to make provision for achieving these objects by amending the principal Act.

SITARAM JAIPURIA.

III

BILL No. VIII of 1962

A bill further to amend the Constitution of India.

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, **Short title.**
1962. }

2. Article 291 of the Constitution shall be re-numbered as clause **Amendment**
(1) of that article and after the said clause as so re-numbered, the **of article**
following clause shall be inserted, namely:— **291.**

“(2) No payment under this article shall be made after the
31st day of December, 1962.”

STATEMENT OF OBJECTS AND REASONS

The circumstances under which the privy purses were originally given to the erstwhile rulers of Indian States have changed. During the last 14 years, these ex-rulers have drawn huge amounts from the exchequer as privy purses apart from enjoying a number of other privileges. In addition to the privy purses, they also are owners of huge properties, treasures and other material wealth.

In view of the objectives of social justice of removal of wide disparities in income, and the widespread public demand for the abolition of such privileges, it is incongruous to continue the payment of privy purses.

Hence the Bill.

BHUPESH GUPTA.

S. N. MUKERJEE,
Secretary.